

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

MDL No. 2804

Case No. 17-MD-2804

Judge Dan A. Polster

*This Document Relates To:*

*City of Prestonsburg v. AmerisourceBergen*

*Drug Corp.*, No. 19-OP-45294-DAP

*City of Paintsville v. AmerisourceBergen Drug*

*Corp.*, No. 19-OP-45559-DAP

*Fayette County, Georgia v. Purdue Pharma,*

*L.P.*, No. 19-OP-45293-DAP

*Board of Commissioners of Barber County,*

*Kansas v. Purdue Pharma, L.P.*, No. 19-OP-

45785-DAP

*City of Niceville v. AmerisourceBergen Drug*

*Corp.*, No. 21-OP-45081-DAP

**DEFENDANT ALVOGEN, INC.'S RESPONSE TO ORDER  
REGARDING PLAINTIFF FACT SHEETS AND SERVICE OF PROCESS**

In response to this Court's January 3, 2023 Order, ECF No. 4801, Defendant Alvogen, Inc. ("Alvogen") respectfully provides the following list of all plaintiff-subdivisions that named Alvogen in an MDL case but failed to serve a Plaintiff Fact Sheet ("PFS") to the PFS Repository and/or did not obtain timely service of process.<sup>1</sup>

---

<sup>1</sup> Alvogen has not yet had the opportunity to respond to the claims against it. Alvogen does not concede that any plaintiff in any case listed in this filing has stated a claim against Alvogen upon which relief can be granted, and Alvogen expressly preserves any and all defenses that may be available to it.

**Defendant Name:** Alvogen, Inc.

<b>Subdivision Name</b>	<b>MDL Case No.</b>	<b>No PFS in Repository</b>	<b>No Service of Process</b>
City of Prestonsburg, KY	19-OP-45294		X
City of Paintsville, KY	19-OP-45559		X
Fayette County, GA	19-OP-45293		X <sup>2</sup>
Board of Commissioners of Barber County, KS	19-OP-45785		X <sup>2</sup>
City of Niceville, FL	21-OP-45081		X

Dated: January 30, 2023

Respectfully Submitted,

*/s/ John M. Tanski*

---

John M. Tanski  
 AXINN, VELTROP & HARKRIDER LLP  
 90 State House Square  
 Hartford, Connecticut 06103  
 860.275.8100  
 860.275.8101 (fax)  
 jtanski@axinn.com

Craig M. Reiser  
 AXINN, VELTROP & HARKRIDER LLP  
 114 West 47th Street  
 New York, New York 10036  
 212.728.2200  
 212.728.2201 (fax)  
 creiser@axinn.com

*Attorneys for Defendant Alvogen, Inc.*

---

<sup>2</sup> In the *Fayette County* and *Barber County* cases, Case Nos. 19-OP-45293 and 19-OP-45785, respectively, Alvogen sent executed waivers of service to the plaintiff but the plaintiff never filed those waivers on the docket. *See* Fed. R. Civ. Proc. 4(d)(4) (“When the plaintiff *files a waiver, proof of service is not required* and these rules apply as if a summons and complaint had been served at the time of filing the waiver.” (emphasis added)).